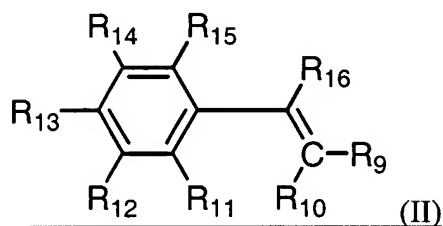


## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

### LISTING OF CLAIMS:

1. (currently amended): A chemical amplification type positive resist composition comprising resin which itself is insoluble or poorly soluble in an alkali aqueous solution but becomes soluble in an alkali aqueous solution by the action of an acid, an acid generator and a compound having an aromatic ring represented by formula (II)



wherein R<sub>9</sub>, R<sub>10</sub>, R<sub>11</sub>, R<sub>12</sub>, R<sub>13</sub>, R<sub>14</sub>, R<sub>15</sub> and R<sub>16</sub> each independently represent hydrogen, alkyl, alkoxy, carboxylate group, cyano, amino, phenyl, carboxyl, benzoyl, hydroxyl or halogen, and at least one CH in the alkyl or alkoxy may be substituted by nitrogen,

having a molecular weight of 1000 or less and showing light absorption of a 1000 liter/(mol\*cm) or more in terms of molar extinction coefficient in a wavelength range from 190 nm to 260 nm, wherein the ratio of said compound is 0.01 to 20 % by weight based on the resin.

2. (original): The composition according to Claim 1 wherein said compound is the one showing light absorption of a 1000 liter/(mol\*cm) or more in terms of molar extinction coefficient in a wavelength range from 190 nm to 200 nm.

3. (original): The composition according to Claim 1 wherein said compound is the one showing light absorption of a 1000 liter/(mol\*cm) or more in terms of molar extinction coefficient in a wavelength range from 240 nm to 260 nm.

4. (canceled).

5. (canceled).

6. (currently amended): The composition according to Claim 1[[4]] wherein R<sub>9</sub>, R<sub>10</sub> and R<sub>16</sub> each independently represent hydrogen, cyano or carboxylate having 2 to 9 carbon atoms.

7. (original): The composition according to Claim 6 wherein carboxylate having 2 to 9 carbon atoms is alkyloxycarbonyl having 2 to 9 carbon atoms.

8. (original): The composition according to Claim 1 which further comprises organic base compound as a quencher.

9. (new): The composition according to claim 3 wherein R<sub>9</sub>, R<sub>10</sub>, and R<sub>16</sub> each independently represent hydrogen, cyano or carboxylate having 2 to 9 carbon atoms.

10. (new): The composition according to claim 9 wherein carboxylate having 2 to 9 carbon atoms is alkyloxycarbonyl having 2 to 9 carbon atoms.

11 (new): The composition according to claim 1 wherein the compound represented by formula (II) is the compound of the formula:

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Amendment under 37 C.F.R. § 1.111

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